

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

STRIKE 3 HOLDINGS, LLC,)
Plaintiff,) Civil Case No. 2:19-cv-02745-PBT
v.) Judge Petrese B. Tucker
JOHN DOE subscriber assigned IP address)
108.52.159.59,)
Defendant.)

)

**PLAINTIFF'S APPLICATION FOR EXTENSION OF TIME WITHIN WHICH TO
EFFECTUATE SERVICE ON JOHN DOE DEFENDANT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Strike 3 Holdings, LLC (“Plaintiff”), makes this application for entry of an order extending the time within which to effectuate service on John Doe Defendant, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s true identity is known by their Internet service provider (“ISP”).

2. On August 19, 2019, Plaintiff was granted leave to serve a third party subpoena on Defendant’s ISP to obtain the Defendant’s identifying information [CM/ECF 4]. Plaintiff issued the subpoena on or about August 20, 2019 and expects to receive the ISP’s response by October 4, 2019.

3. Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than September 21, 2019.

4. Accordingly, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended until sixty (60) days after it expects to receive the Defendant's identity, or December 3, 2019.

5. This application is made in good faith and not for the purpose of undue delay.

6. This is Plaintiff's first request for an extension. None of the parties will be prejudiced by the granting of this extension.

WHEREFORE, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended until December 3, 2019. A proposed order is attached for the Court's convenience.

Dated: September 17, 2019

Respectfully submitted,

By: /s/ John C. Atkin
John C. Atkin, Esq.
The Atkin Firm, LLC
55 Madison Avenue, Suite 400
Morristown, NJ 07960
Tel: (973) 285-3239
Fax: (833) 693-1201
JAtkin@AtkinFirm.com
Attorneys for Plaintiff

CERTIFICATE OF UNCONTESTED MOTION

Pursuant to Local Rule 7.1(b), the undersigned certifies that the foregoing motion is uncontested.

Respectfully submitted,

By: /s/ John C. Atkin

John C. Atkin, Esq. (326957)

JAtkin@atkinfirm.com

55 Madison Avenue, Ste. 400

Morristown, NJ 07960

Tel.: (973) 285-3239

Fax: (833) 693-1201

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this September 17, 2019, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

Respectfully submitted,

By: /s/ John C. Atkin

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Attorneys for Plaintiff